

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

In re: : Case No. 10-52708  
  
Eric M. Shepherd : Chapter 13  
Shelia D. Shepherd  
  
Debtors : Judge Preston

**DEBTORS' MOTION TO MODIFY POST-CONFIRMATION**

Debtors, by and through their counsel, hereby move to modify their Chapter 13 plan. Debtors respectfully request that the modification be granted for reasons more fully set forth in the Memorandum below.

Respectfully submitted,

/s/Brian D. Wood  
Brian D. Wood (0075190)  
W. Mark Jump (0062837)  
Jump Legal Group, LLC  
Attorneys for Debtors  
2130 Arlington Ave.  
Columbus, Ohio 43221  
(614) 481-4480  
[bwood@jumplegal.com](mailto:bwood@jumplegal.com)

**MEMORANDUM IN SUPPORT**

Debtors' Chapter 13 plan was confirmed on July 12, 2010 and modified June 3, 2011 (Docket # 37). The plan presently calls for Debtors to pay \$7,300.00 per month to the trustee with a sixty percent (60.00%) dividend paid to the plan's general unsecured creditors.

Debtors' plan is projecting to longer than the maximum sixty (60) months in violation of 11 U.S.C. § 1322(d) due to secured and unsecured claims being filed for amounts higher than scheduled. Therefore, Debtors would like to decrease the dividend paid to unsecured creditors to forty-five percent (45.00%). The plan payment of \$7,300.00 shall remain the same. Debtors shall make a plan payment for the required commitment period of sixty months.

The proposed modification will modify the rights of the holders of unsecured claims being dealt with under the plan in that the amount paid to unsecured creditors will be decreased. The proposed modification will not modify the rights of any secured claim holder.

The proposed modified plan is attached hereto and a copy of the same, together with a copy of this Motion and Memorandum of Support has been sent to the Chapter 13 Trustee, US Trustee, and holders of all claims.

**WHEREFORE**, the Debtors pray they be permitted to amend the plan to conform to the attached amended plan pursuant to 11 USC Section 1329.

Respectfully Submitted,

/s/Brian D. Wood

Brian D. Wood (0075190)

W. Mark Jump (0062837)

Jump Legal Group, LLC

Attorneys for Debtors

2130 Arlington Ave.

Columbus, Ohio 43221

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**AMENDMENT TO CONFIRMED CHAPTER 13 PLAN**

**Now come the Debtors herein to amend the plan to state:**

Debtors' plan payment shall remain \$7,300.00 per month for the remainder of the plan. The general unsecured dividend shall be decreased to forty five percent (45.00%). Debtors shall make a plan payment for the required commitment period of sixty months.

**Dated:** 4/15/2013

/s/Brian D. Wood  
**Attorney for Debtors**

**Debtors' Verification**

We declare under penalty of perjury that we have read the attached amendments and that they are true and correct to the best of our knowledge, information or belief.

Date: 3/12/2013

/s/Eric Shepherd  
Debtor

/s/Shelia Shepherd  
Debtor

**UNITED STATES BANKRUPTCY COURT  
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**NOTICE OF MOTION/OBJECTION**

The Debtors have filed papers with the Court to modify their plan. **Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief sought in the motion/objection, then on or **before twenty-one (21) days from the date set forth in the certificate of service for the motion/objection**, you must file with the court a response explaining your position by mailing your response by regular U.S. Mail to 170 North High St., Columbus, OH 43215, or your attorney must file a response using the court's ECF System.

The court must **receive** your response on or before the above date.

You must also send a copy of your response either by 1) the court's ECF System or by 2) regular U.S. Mail to;

Brian D. Wood, 2130 Arlington Ave, Columbus, OH 43221

Frank Pees, Chapter 13 Trustee, 130 E. Wilson Bridge Rd., Worthington, OH 43085

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion/objection and may enter an order granting that relief without further notice or hearing.

**CERTIFICATE OF SERVICE**

I hereby certify that on April 15, 2013 a copy of the foregoing Motion to Modify Plan Post-Confirmation was served on the following registered ECF participants, electronically, through the court's ECF system at the email address registered with the court or via ordinary US mail:

/s/Brian D. Wood  
Brian D. Wood (0075190)  
W. Mark Jump (0062837)  
Jump Legal Group, LLC  
Attorneys for Debtors  
2130 Arlington Ave.  
Columbus, Ohio 43221  
(614) 481-4480  
[bwood@jumplegal.com](mailto:bwood@jumplegal.com)

**SERVED ELECTRONICALLY:**

Frank M. Pees, Chapter 13 Trustee

Office of the US Trustee

Linh K Tran, counsel for CR Evergreen, LLC

LeAnn E Covey, counsel for HSBC Consumer Lending Mortgage Services, Inc

Mary E Krasovic, counsel for PNC Mortgage

W. Mark Jump, counsel for Eric and Sheila Shepherd

**SERVED VIA REGULAR MAIL:**

Eric M. & Shelia Shepherd, 1250 Jensen Park Drive, New Albany, OH 43054

B-Line, LLC |Attn: Steven Kane|PO Box 91121|Dept 550|Seattle, WA 98111-9221

Capital One, NA |Bass & Associates, P.C.|3936 E. Ft. Lowell Rd., Suite 200|Tucson, AZ 85712

East Bay Funding, LLC |c/o Resurgent Capital Services|PO Box 288|GREENVILLE, SC 29603

Fifth Third Bank |9441 LBJ Freeway|Suite 250|Dallas, TX 75243

HSBC Consumer Lending Mortgage Services, Inc

JS & Associates Appraisal Services, LLC |P.O. Box 360713|Columbus, OH 43236-0713

Midland Funding LLC by American InfoSource LP as agent |PO Box 4457|Houston, TX 77210-4457

PRA Receivables Management LLC |POB 41067|Norfolk, VA 23541

PRA Receivables Management, LLC |PO Box 12907|Norfolk, VA 23541

Recovery Management Systems Corporation |25 SE 2nd Avenue, Suite 1120|Miami, FL 33131

eCAST Settlement Corporation |POB 29262|New York, NY 10087-9262

Citicorp Trust Bank |P.O. Box 140489|Irving, TX 75014-0489

American General |2628 Colonel Glenn Highway|Suite B|Fairborn, OH 45324-6559

American General Finance |Village Square|1354 Cherry Bottom Road|Gahanna, OH 43230-6771

American Infosource Lp As Agent for |World Financial Network National Bank As|Express|PO Box 248872|Oklahoma City, OK 73124-8872

American Infosource Lp As Agent for |World Financial Network National Bank As|New York & Co|PO Box 248872|Oklahoma City, OK 73124-8872

Bank Of America |4161 Piedmont Pkwy|Greensboro, NC 27410-8110

Beneficial |PO Box 4153-K|Carol Stream, IL 60197-4153

Best Buy |Retail Services|PO Box 5238|Carol Stream, IL 60197-5238

CR Evergreen, LLC |MS 550|PO Box 91121|Seattle, WA 98111-9221

Capital Management Services |726 Exchange Street|Suite 700|Buffalo, NY 14210

Capital One Bank |PO Box 85147|Richmond, VA 23276

Capital One Bank (USA), N.A. |PO Box 12907|Norfolk VA 23541

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Capital One Bank (USA), N.A. |by American Infosource Lp As Agent|PO Box 71083|Charlotte, NC 28272-1083

Capital One, N.A. |Bass & Associates, P.C.|3936 E. Ft. Lowell Rd., Suite #200|Tucson, AZ 85712

Care Credit |PO Box 981439|El Paso, TX 79998

Centerone Financial Services |3120 Rider Trail S|Earth City, MO 63045

Chase Bank USA,N.A |c/o Creditors Bankruptcy Service|P O Box 740933|Dallas,Tx 75374

Chase Bank/Pier 1 |800 Brooksedge Blvd|Westerville, OH 43081

Citifinancial Retail Services |PO Box 183041|Columbus, OH 43218-3041

City of Gahanna, Ohio |Division of Taxation|Municipal Building, 200 S. Hamilton Road|Gahanna, OH 43230

Credit First National Association |Po Box 818011|Cleveland, OH 44181

Department Stores National Bank/Macys |Nco Financial Systems, Inc.|PO Box 4275|Norcross, GA 30091

Discount Tire |GE Capital Cons Cardco|PO Box 960061|Orlando, FL 32896-0061

Discover |PO Box 15251|Wilmington, DE 19886-5251

Discover Bank |Dfs Services LLC|PO Box 3025|New Albany, Ohio 43054-3025

East Bay Funding, LLC |c/o Resurgent Capital Services|PO Box 288|Greenville, SC 29603

Elan Financial Services |P.O. Box 5229|Cincinnati, OH 45201

Elan Financial Services |PO Box 790408|Saint Louis, MO 63179-0408

|Express |PO Box 659728|San Antonio, TX 78265-9728

Fia Card Services, NA As Successor In Interest to |Bank of America NA and Mbna America Bank|1000 Samoset Drive|DE5-023-03-03|Newark, DE 19713

Fifth Third Bank |PO BOX 829009|Dallas, TX 75382

Fifth Third Bank |PO Box 182026|Columbus, OH 43218

Firestone |CFNA|PO Box 81315|Cleveland, OH 44181-0315

First Premier Bank |PO Box 5147|Sioux Falls, SD 57117-5147

GE Consumer Finance |For GE Money Bank|dba CARECREDIT/GEMB|PO Box 960061|Orlando FL 32896-0661

|GE Consumer Finance |For GE Money Bank|dba DISCOUNT TIRE/GEMB|PO Box 960061|Orlando FL 32896-0661

GE Consumer Finance |For GE Money Bank|dba H H GREGG/GEMB|PO Box 960061|Orlando FL 32896-0661

GE Money Bank |c/o Recovery Management Systems Corporat|25 SE 2nd Ave Suite 1120|Miami FL 33131-1605

|Gap |PO BOX 105980|Dept. 72|Atlanta, GA 30353-5980

HHGreg |C/O GE Capital Cons Cardco|PO Box 9001557|Louisville, KY 40290-1557

HSBC Bank |PO Box 5253|Carol Stream, IL 60197

HSBC Bank Nevada, N.A. |Bass & Associates, P.C.|3936 E. Ft. Lowell Rd., Suite 200|Tucson, AZ 85712

HSBC Bank Nevada, N.A. |by PRA Receivables Management, LLC|PO Box 12907|Norfolk VA 23541

HSBC Consumer Lending Mortgage Services |servicer for Beneficial Ohio Inc.|636 Grand Regency Blvd.|Brandon, FL 33510

Ikea |Retail Services|PO BOX 7680|Carol Stream, IL 60116-7680

JS & Associates Appraisal Services, LLC |P.O. Box 360713|Columbus, OH 43236-0713

Kohl's Department Stores, Inc. |Credit Department|PO Box 2983|Milwaukee, WI 53201

MMCA |C?O Weltman, Weinberg & Reis, Co., LPA|323 W. Lakeside Ave., 2nd Floor|Cleveland, OH 44113

Macy's |9111 Duke Boulevard|Mason, OH 45040

Manley Deas Kochalski LLC |PO Box 165028|Columbus, OH 43216-5028



Midland Funding LLC |by American InfoSource LP as agent|PO Box 4457|Houston TX 77210-4457

New York & Co. |c/o WFNNB|PO Box 659728|San Antonio, TX 78265-9728

Orange Lake Country Club |8505 W. Irlo Bronson Highway|Kissimmee, FL 34747

PNC Mortgage |6 N. Main Street|Dayton, OH 45402

PNC Mortgage |c/o Manley, Deas, Kochalski LLC.|P.O. Box 165028|Columbus, OH 43216-5028

PRA Receivables Management, LLC |As Agent Of Portfolio Recovery Assocs.|POB 41067|Norfolk VA 23541

Portfolio Investments II LLC |c/o Recovery Management Systems Corporat|25 SE 2nd Avenue Suite 1120|Miami, FL 33131-1605

Portfolio Recovery Associates |PO BOX 41067|Norfolk VA 23451

Portfolio Recovery Associates, LLC |PO Box 41067|Norfolk VA 23541

Premier BankCard/Charter |P.O. Box 2208|Vacaville, CA 95696

RITA |PO BOX 470537|BROADVIEW HTS OH 44147|ATTN LEGAL DEPT

Recovery Management Systems Corporation |25 S.E. 2nd Avenue, Suite 1120|Miami, FL 33131-1605

State of Ohio Department of Taxation |Attn.: Bankruptcy Division|PO Box 530|Columbus, OH 43216-0530

The Home Depot |PO Box 105981|Dept. 51|Atlanta, GA 30353-5981

Toyota Financial Services |PO Box 5855|Carol Stream, IL 60197-5855

|Toyota Motor Credit Corporation |5005 North River Blvd., N.E.|Cedar Rapids, IA 52411-6634

World Omni Financial Corp |c/o Weltman, Weinberg & Reis, Co., LPA|323 W. Lakeside Ave., 2nd Fl|Cleveland OH 44113

eCAST Settlement Corporation |POB 29262|New York NY 10087-9262

eCAST Settlement Corporation assignee of Chase |Bank USA NA|POB 29262|New York NY 10087-9262